

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

LYONS & CLARK, INC.,

Plaintiff,

vs.

MICHAEL ARMAND HAMMER,

Defendant.

Case No. 17-CV-626-TCK-FHM

**OPINION AND ORDER**

Defendant's Motion for Protective Order, [Dkt. 22], is before the undersigned United States Magistrate Judge for decision. The matter has been fully briefed. [Dkt. 24, 25].

Defendant seeks an order specifying that his deposition noticed for March 15, 2019, be delayed pending the resolution of the pending Motion to Dismiss, or in the Alternative to Stay Case. The undersigned finds that the Motion for Protective Order should be and is hereby granted. On January 10, 2018, Judge Kern entered a minute order that the Court found good cause for delay in issuing a scheduling order in this case, as the motion for stay should be resolved first. [Dkt. 18]. The motion for stay has not been resolved and no scheduling order has been issued. In view of Judge Kern's order and the pendency of the state court proceedings, the undersigned finds that it is prudent to issue the protective order and delay discovery until such time that a scheduling order is issued.

Defendant's Motion for Protective Order, [Dkt. 22], is GRANTED.

SO ORDERED this 14th day of March, 2019.

  
**FRANK H. MCCARTHY**  
**UNITED STATES MAGISTRATE JUDGE**